



City of NORFOLK

C: Commonwealth's Attorney

To the Honorable Council
City of Norfolk, Virginia

April 8, 2014

From: Gregory D. Underwood, Commonwealth's
Attorney

Subject: Ordinance approving and
accepting Virginia Domestic Violence
Victim Funds from the Virginia
Department of Criminal Justice
Services

Reviewed: Joseph Howell, Assistant to the City
Manager

Ward/Superward: Citywide

Approved:

Marcus D. Jones, City Manager

Item Number:

R-13

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Norfolk Commonwealth's Attorney's office

III. **Description**

This agenda item is an Ordinance authorizing the acceptance of a Grant from the Department of Criminal Justice Services in the amount of \$40,000 for the Virginia Domestic Violence Victim Fund (VDVVF).

IV. **Analysis**

The Virginia Domestic Violence Victim Fund will be used to support personnel costs of a paralegal to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking and family abuse.

V. **Financial Impact**

The \$40,000 grant received from the Department of Criminal Justice Services does not require a cash match; however, the current expense of our VDVVF Grant employee is approximately \$1,000 more than the \$40,000 grant and has to be made up from the Commonwealth's Attorney's Office General Fund.

VI. Environmental
N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action
N/A

IX. Coordination/Outreach

This letter has been coordinated with the Office of the City Attorney and the Office of Grants Management.

Supporting Material from the Office of the Commonwealth's Attorney:

- Ordinance
- Statement of Grant Award

Form and Correctness Approved: *RAP*By *Mary J. S. V. /*
Office of the City Attorney

Contents Approved:

By *Gregory J. Underwood*
DEPT. Commonwealth Attorney's Office

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 40,000

2215-120-7318-8909

Alvin M. Kelly
Director of FinanceAccount
3/11/14
Date*KMP 3/11/14*

NORFOLK, VIRGINIA

ORDINANCE No.*8A 3/14*

AN ORDINANCE ACCEPTING A VIRGINIA DOMESTIC VIOLENCE VICTIM FUND GRANT AWARD OF \$40,000.00 FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR THE SUPPORT OF PERSONNEL COSTS FOR A PROGRAM PARALEGAL TO ASSIST IN THE PROSECUTION OF MISDEMEANORS AND FELONIES INVOLVING DOMESTIC VIOLENCE, SEXUAL ABUSE, STALKING AND FAMILY ABUSE AND APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF THE GRANT FUNDS FOR PAYROLL AND MEDICAL BENEFIT COVERAGE EXPENSES FOR THE PROGRAM EMPLOYEE.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a \$40,000.00 grant award from the Commonwealth of Virginia, Virginia Department of Criminal Justice Services, for the continuation of the Virginia Domestic Violence Victims Fund ("VDVVF") Program, is hereby accepted.

Section 2:- That \$40,000.00 in grant funds are hereby appropriated and authorized to be expended for the VDVVF Program, according to the terms and conditions of the Virginia Domestic Violence Victim Fund Program, if and when the funds are made available from the Virginia Department of Criminal Justice Services, for payroll and medical benefit coverage expenses for the Program employee.

Section 3:- That this ordinance shall be in effect from and after its adoption.

Department of Criminal Justice Services

1100 Bank Street, 12th Floor, Richmond, VA 23219

Statement of Grant Award/Acceptance

Subgrantee: Norfolk City

Date: December 30, 2013

Grant Period:

Grant Number:

From: 01/01/2014

Through: 12/31/2014

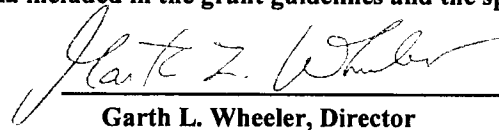
14-I4979DV14

Project Director	Project Administrator	Finance Officer
The Hon. Gregory D. Underwood Commonwealth's Attorney City of Norfolk 800 E. City Hall Avenue, Ste. 600 Norfolk, VA 23510 Phone: (757) 664-4835 Email: gregory.underwood@norfolk.gov	Mr. Marcus D. Jones City Manager City of Norfolk 810 Union Street, Ste. 1101 Norfolk, VA 23510 Phone: (757) 664-4242 Email: rmarcus.jones@norfolk.gov	Ms. Alice M. Kelly Director of Finance City of Norfolk 810 Union Street, Ste 600 Norfolk, VA 23510 Phone: (757) 664-4346 Email: alice.kelly@norfolk.gov

Grant Award Budget

Budget Categories	DCJS Funds			Local	TOTALS
	Federal	General	Special		
Travel	\$0	\$0	\$0	\$0	\$0
Supplies/Other	\$0	\$0	\$0	\$0	\$0
Personnel	\$0	\$0	\$40,000	\$0	\$40,000
Indirect Cost	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0
Consultant	\$0	\$0	\$0	\$0	\$0
Totals	\$0	\$0	\$40,000	\$0	\$40,000

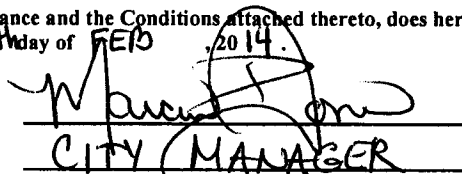
This grant is subject to all rules, regulations, and criteria included in the grant guidelines and the special conditions attached thereto.


Garth L. Wheeler, Director

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this 18th day of FEB 2014.

Signature:

Title:


CITY MANAGER

VIRGINIA SEXUAL AND DOMESTIC VIOLENCE VICTIM FUND GENERAL GRANT CONDITIONS AND ASSURANCES FOR VICTIMS SERVICES GRANTS

The applicant gives assurances and certifies with respect to the grant for which it is applying that it will comply with the following requirements in the event that the grant is awarded:

1. The applicant assures that no fees will be charged for victim services provided through this grant program.
2. CLIENT CONFIDENTIALITY:

Grantees are prohibited from:

- a. Disclosing any personally identifying information or individual information collected in connection with services requested, utilized, or denied through sexual or domestic violence programs.
- b. Revealing individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian; or in the case of an incapacitated person as defined in § 37.2-1000, the guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If the release of information is compelled by statutory or court mandate, the service provider shall:

- a. Make reasonable attempts to provide notice to victims affected by the disclosure of information
- b. Take steps necessary to protect the privacy and safety of the persons affected by the release of the information

Programs and individuals providing services to victims of sexual or domestic violence may share:

- a. Non-personally identifying data in the aggregate regarding services to their clients and non-personally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements
- b. Court generated information and law-enforcement generated information contained in secure, governmental registries for protection order enforcement purposes
- c. Information necessary for law enforcement and prosecution purposes

3. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Department of Criminal Justice Services (DCJS) shall prescribe shall be provided to DCJS to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
4. REPORTS: The applicant agrees to submit such reports as DCJS shall reasonably request. Financial and progress reports shall be submitted to DCJS on the 12th business day following the close of each quarter. Reports shall be submitted using the online Grants Management Information System (GMIS).

The applicant agrees to use software developed by DCJS specifically for the Virginia Sexual and Domestic Violence Victim Fund to compile data on project progress. To request a copy of this software, contact Darwin Webb at (804) 786-4576.

5. INSPECTION AND AUDIT: The applicant agrees to submit to DCJS a copy of the agency or locality audit(s) that provides a report for the grant award period. Copies of audits should be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report.
6. DISCRIMINATION PROHIBITED: No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, or denied employment in connection with this grant.
7. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM: The applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program policy.

An applicant organization having 50 or more employees and receiving amounts of \$500,000 or more, or grants which in the aggregate exceed \$500,000 or more, in any fiscal year must submit a copy of its Equal Employment Opportunity Plan (EEOP) to the DCJS for review. For continuation grant funding that exceeds this amount in any fiscal year, the applicant must submit a statistical update from the previous year's plan.

8. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex

against a recipient of funds, the recipient will forward a copy of the findings to DCJS.

9. RELEASE OF GRANT INFORMATION: All records, papers and other documents kept by recipients of DCJS funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the DCJS. These records and other documents submitted to DCJS and its applicants, including plans and application for funds, are required to be made available to DCJS.
10. INFORMATION SYSTEMS. With respect to programs related to criminal justice information systems, the applicant agrees to protect individual privacy and to insure the integrity and accuracy of data collection. The applicant further agrees:
 - a. That all computers purchased with DCJS funds will be equipped with anti-virus software, which must be updated regularly.
 - b. That all computer programs (software) developed with funds provided by this grant will be made available to DCJS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
 - b. To provide a complete copy of the computer programs and documentation, upon request, to DCJS. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
 - c. That whenever possible all application programs will be written in standardized programming languages (i.e., ANSI, COBOL, FORTRAN, BASIC, etc.) for use on general operating systems (e.g., DOS, CP/M, UNIX, etc.) that can be utilized on at least three different manufacturer's computers of similar size and configuration.
 - d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. DCJS should be contacted to determine availability of software prior to any development effort.
11. COPYRIGHT: Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a DCJS supported project. Any such copyright materials shall be subject to DCJS's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize

others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by DCJS project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use.

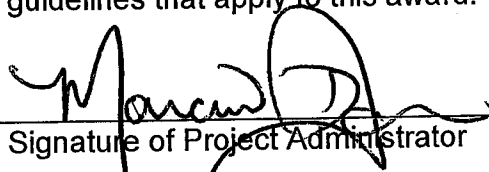
12. The applicant assures that funds made available under this grant will be used to enhance or expand services and will not be used to supplant state and local funds that would otherwise be available. State, local or other funds currently allocated to prosecute domestic violence, sexual assault, stalking, and family abuse cases, or to provide services to victims of or children affected by these crimes may not be reallocated to other purposes if a DCJS VSDVVF grant is awarded.
13. Any publications (written, visual or sound) published with grant funds through this project shall contain the following statement:

This project was supported by the Department of Criminal Justice Services (DCJS) award no. (DCJS grant no.) from funds made available through the Virginia Sexual and Domestic Violence Victim Fund.

The opinions, findings, conclusions or recommendations expressed are those of the authors and do not necessarily reflect the views of DCJS.

CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all federal and state laws and guidelines that apply to this award.



Signature of Project Administrator

9-13-12

Date